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BY THE HOUSE OF DELEGATES,

February 9th, 1842.

Read and ordered be printed.

R E P O R T

OF

T H E C O M M I T T E E

ON THE

COLORED POPULATION.

R E P O R T .

The Committee on the Colored Population, to whom were referred the memorial of the Slaveholders' Convention, and other memorials, orders and leaves in relation to free negroes and slaves, beg leave to report:

That it has been their object in framing a bill to meet the serious evils under which the State is laboring from the present condition of this class of its population,—first, to prevent the escape of slaves from their owners,—secondly, to make the free negroes of the State industrious, and place them beyond the reach of temptations to crime, which a life of idleness readily embraces,—thirdly, to arrest the increase of free negroes within the State, and lastly, to make the penalties of a character to insure their own enforcement, as well as to deter from the commission of the offences against which they are designed to guard.

The committee, in view of the important charge which has been assigned them, deem it proper further to say, that in a large portion of the State, the slaves are leaving their owners in such numbers, and their efforts to escape are attended with so much success, as seriously to affect the demand for labor and the value of cultivated lands, as well as to induce those who are suffering from this evil, solemnly to call upon the government, towards the support of which they are contributing equally with their fellow citizens, to guarantee to them the rights of property, by proper legislative enactments. And as it appears to your committee, no matter how limited the number thus demanding protection may be, if the rights of property attached under the laws the obligation to protect, is as perfect, as the duties of allegiance are undoubted. And if there be those, who being, themselves for the *present*, removed from the operation of this evil, decline to surrender their predilections or prejudices for the benefit of those who are suffering—surely, a just regard for the supremacy of the laws—for the dignity and character of the State—for the support of the agricultural interests, and for the rights of the citizen thus

inadequately guarded, would disarm them of any hostility to the measures contemplated by the committee.

The evils arising from the idle and vagrant habits of a large portion of the free negroes of this State, both to themselves, to slaves, and to property holders of every description, are too universally felt and acknowledged to need illustration, and have not failed to be a matter of solicitude to your committee in the preparation of the accompanying bill. And it would seem obvious that whilst the free negro remains subject to disabilities, political, civil and social, such as the policy of the laws and the habits of our citizens alike impose, no course could be so well calculated to promote the happiness and honesty of this class of our population, and prevent an interference with the proper contentment of our slaves from examples of idleness, as that which will insure their constant employment, and place them as near as may be, upon an equality with the slave. In the attainment of this object, indeed, some apparent severity cannot be avoided. But when it is recollected, that this severity is administered to promote the happiness and respectability of these people, and to rid the State of evils of the most serious character, neither the good citizen nor the faithful legislator could hesitate to sanction such a measure by his hearty approbation and support.

It is believed that an increase of the free negro population is deprecated by all. And to guard against such an event, the committee rely, *principally*, upon prohibiting the entry or return of such persons into the State, as well as upon a restraint upon manumission, unless the party exercising this license places the slave beyond our limits. This last provision—the restraint upon the privilege of manumission—will doubtless meet with some objection, and the committee have not recommended its adoption without consideration. But sympathy must bow to the necessities of the times. The highest considerations of interest dictate, that a State like Maryland, already having within her limits more free blacks than any other State in the Union, should not be further burdened. It should also be recollected, that the right to manumit is but a license granted by the Legislature, and which the master in Maryland has been exercising for less than half a century—that he who now exercises it, does so at the expense of his neighbor, and that the proposed prohibition will not prevent any master from giving freedom to his slave, since he can either transport such slave to another State and there exercise the power of manumission, or can manumit him at home, and furnish him with the means of going out of the State.

The committee have endeavored to devise some means by which to insure a rigid execution of the provisions of the bill which they now submit. This they believe may be accomplished by the nature of the penalties which they have adopted, since they are of a character to deter all from a violation of the law, and at the same time to induce their own enforcement where such violation shall

be committed. This object of course could not be secured unless they are of a nature to afford the superficial observer an occasion to stigmatise them as cruel, or at least as excessive. But your committee would have it borne in mind, that the most vexatious and galling laws are not unfrequently those which impose penalties for their infraction, that induce the criminal to hazard the chances of detection. If for example, the free negro who shall come into this State contrary to our laws, knows that if he is detected he will be made a slave for life; the strongest motive is presented why he should not brave the hazard which would arise from the offence, and the necessity for punishment would be beyond all comparison less frequent than if any fine were imposed, because its infliction the negro would be willing to risk or provide for, for the sake of accomplishing a favorite object.

All of which is submitted.

E. HAMMOND, Chairman.
 GEO. BRENT,
 JOHN M. S. MACCUBBIN,
 S. HAMILTON,
 VALENTINE BRYAN.



